

MULTIMEDIA



UNIVERSITY

STUDENT IDENTIFICATION NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2018/2019

UJP 3622 – JURISPRUDENCE II

(All Sections/Groups)

12 MARCH 2019

Reading Time: 9.00 a.m. – 9.15 a.m.

(15 Minutes)

Answering Time: 9.15 a.m. – 12.15 p.m.

(3 Hours)

INSTRUCTIONS TO STUDENTS

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes. **ONLY** in their question paper. Students then have the remaining **THREE HOURS** in which to answer the question.
2. This Examination Paper consists of 3 Pages with 5 Questions only.
3. There are two parts in this Question Paper: Part A and Part B. Question 1 from Part A is **COMPULSORY** and must be answered. Answer **THREE QUESTIONS ONLY** from Part B.
4. Please write all your answers in the Answer Booklet provided.

PART A: THIS QUESTION MUST BE ANSWERED**QUESTON 1**

Discuss the concepts stated below. For each concept support your answer with relevant illustration/s and argument/s.

- | | |
|---------------------------|------------|
| (a) Teleological analysis | (10 marks) |
| (b) Postmodernism | (15 marks) |

(Total: 25 marks)

PART B: ANSWER THREE QUESTIONS ONLY**QUESTION 2**

The Chicago school opines that the process of legislation is based on the fundamental assumption that 'legislators are rational maximisers of their satisfactions just like anyone else'.

From the above observation, discuss the concept that most common laws can be explained in economic terms when applied to the Malaysian legal development. Support your answers with the local legislation/s and their application/s.

(25 marks)

(Total: 25 marks)

Continued...

QUESTION 3

“In a period of rapid and social and economic change the American legal system, common law based on and dominated by legal traditionalism, was beset by a wide-ranging criticisms. It was pressed by contending forces in social conflict in contradictory directions. It had neither time nor opportunity for a leisurely adjustment to the changed circumstances. The pressure from the rapidly emerging labor movement brought pressure on the legislators for intervention through social legislation” - Roscoe Pound in “*The Sociological Movement in Law* (1978)” at p. 13.

Critically discuss Roscoe Pound’s classification of the various interests and how these competing interests can be accommodated in the context of the demands of a multi-citizenry of Malaysia? Support your answers with the local legislations and case precedents.

(25 marks)

(Total: 25 marks)

QUESTION 4

Contemporary form of feminism refers to the relatively modern stage of feminist political movement, sometimes described in terms of waves which reflect the three generational “liberty, equality and fraternity” theory of human rights.

Discuss the various issues championed by the feminist movements throughout its history. Also critically evaluate whether our legislature has passed adequate legislation to safeguard women’s rights in Malaysia? Support your answer with the relevant laws and case precedents.

(25 marks)

(Total: 25 marks)

Continued...

QUESTION 5

Discuss the stages in the development of the law under the historical school as propounded by Carl Von Savigny (1779-1861). Critically evaluate the relevance of Savigny's concept of the development of law in the context of Malaysian legal history.

(25 marks)

(Total: 25 marks)

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